

# **EXHIBIT B**

2011-CI-18008

LED  
DISTRICT CLERK  
BEXAR CO. TEXAS

073RD JUDICIAL DISTRICT COURT

WALTER ARNETT VS SEARS ROEBUCK & CO

DATE FILED: 11/09/2011

11 NOV -9 AMCAUSE NO. 2011-CI-12680

WALTER ARNETT, DEPUTY

IN THE DISTRICT COURT

Plaintiff BY \_\_\_\_\_

v.

TEXAS WORKFORCE COMMISSION and  
SEARS, ROEBUCK & CO.,

73<sup>RD</sup> JUDICIAL DISTRICT

Defendant.

BEXAR COUNTY, TEXAS

AGREED ORDER SEVERING CLAIMS AND REMOVING CASE FROM JURY DOCKET

On this day came on for consideration Defendants' Joint Motion to Sever Incompatible Claims and Motion to Strike from Jury Docket. After due consideration of the motion and the arguments of counsel, the Court is of the opinion that the motion is meritorious and should be GRANTED. It is therefore

ORDERED that Defendants' Joint Motion to Sever Incompatible Claims and Motion to Strike from Jury Docket is GRANTED in its entirety. It is therefore

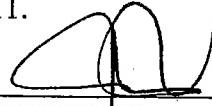
ORDERED that claims brought by Plaintiff jointly against Defendant Texas Workforce Commission and Defendant Sears, Roebuck & Co. appealing the Commission's denial of unemployment compensation benefits are hereby severed ~~from the above-styled case~~; and that the Bexar County District Clerk shall open a new case for ~~such appeal~~, styled "Walter Arnett v. ~~Texas Workforce Commission and~~ Sears, Roebuck & Co." with a new cause number. It is further

ORDERED that within 20 days of the date of this Order Plaintiff shall file a First Amended Petition in the above-styled cause reflecting only his claims against Defendant Sears, Roebuck & Co. for unlawful discrimination and retaliation. It is further

ORDERED that the Bexar County District Clerk shall remove the above-styled cause from the jury docket, subject to re-setting at a later date.

*It is further ordered that Sears shall pay the severance fee of \$50.  
IT IS SO ORDERED.*

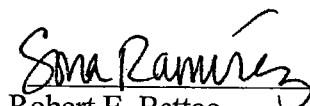
Signed this 9 day of Nov, 2011.

  
JUDGE PRESIDING

**APPROVED AS TO FORM:**

  
Adam Poncio  
STATE BAR NO. 16109800  
Poncio Law Offices  
5410 Fredericksburg Rd. Suite 109  
San Antonio, Texas 78229-3554  
Telephone: 210.212.7979  
Facsimile: 210.212.5880

ATTORNEY FOR PLAINTIFF  
WALTER ARNETT

  
Soña Ramírez  
Robert E. Bettac  
State Bar No. 02268400  
Soña Ramírez  
State Bar No. 24040330  
Ogletree, Deakins, Nash, Smoak  
& Stewart, P.C.  
112 E. Pecan Street, 2700 Weston Centre  
San Antonio, Texas 78205  
Telephone: 210.354.1300  
Facsimile: 210.277.2702

ATTORNEYS FOR DEFENDANT  
SEARS, ROEBUCK & CO.

  
Peter G. Lawrence

SBN 24070473

For Defendant Texas Workforce Commission